

## **ARTICLE 21.00**

**NC - NEIGHBORHOOD COMMERCIAL DISTRICT**

**CC - COMMUNITY COMMERCIAL DISTRICT**

**RC - REGIONAL COMMERCIAL DISTRICT**

**D - DOWNTOWN DISTRICT**

**D-O - DOWNTOWN OVERLAY DISTRICT**

**C - CIRCLE DISTRICT**

**DNO - DOWNTOWN NORTHSIDE OVERLAY  
DISTRICT**

### **Section 21.01 -- STATEMENT OF PURPOSE**

The intent of the Commercial Districts is to provide for a variety of commercial uses, including retail, office, restaurant, and service uses, to serve the needs of residents of the City and surrounding communities. The Zoning Ordinance provides for six Commercial Districts, which vary based on the intended target market, the permitted intensity of use, and the range of products and services offered by permitted uses. It is intended that uses in the Commercial Districts exhibit high standards of site planning and landscape design so as to achieve compatibility with surrounding uses.

The purposes of the individual Commercial Districts are as follows:

#### **NC - Neighborhood Commercial District**

The purpose of the Neighborhood Commercial District is intended to provide locations for businesses that meet the day-to-day shopping and service needs of residents in surrounding neighborhoods. Wherever possible, Neighborhood Commercial uses should be designed to fit into the fabric of the surrounding neighborhood, by giving special consideration to site layout, building design, pedestrian orientation, traffic patterns, exterior lighting, and similar site and building characteristics. Intensive commercial uses that generate large volumes of traffic or that have other characteristics that would adversely affect the quality of surrounding residential areas are not appropriate in the Neighborhood Commercial District.

#### **CC - Community Commercial District**

The purpose of the Community Commercial District is to provide for commercial development that offers a broad range of goods and services to meet the convenience and comparison shopping needs of residents. Because of the variety of business types permitted in the CC District, special attention shall be focused on site layout, building design, vehicular and pedestrian circulation, and coordination of site features between adjoining uses. An effort should be made to achieve design compatibility between adjoining commercial uses.

## **RC – Regional Commercial District**

The purpose of the Regional Commercial District is to provide for commercial development that offers a diversity of retail, service, entertainment, office, finance, and related business uses to serve the needs of residents of the City and region. The Regional Commercial District is intended to be the City's most intensive, vehicle-oriented commercial district. Consequently, Regional Commercial uses should be served by or have access to major or minor thoroughfares and the uses should be buffered from or located away from residential uses. Because of the prominence of Regional Commercial uses, high standards of site planning and landscape design are desired.

## **D – Downtown District & D-O – Downtown Overlay**

The Downtown District is intended to be a compact, lively, pedestrian-oriented District that offers a wide diversity of commercial, office, civic, cultural, entertainment, recreation, residential, and tourism uses. Building design and layout should be based on traditional design principles, with architectural features that create visual interest. Primary building entrances should be physically and visually oriented toward streets. The D-O, Downtown Overlay, is intended to promote a vibrant traditional downtown environment, along Main Street between Jerome and George Streets. Residential development, particularly on the upper floors of retail and office buildings, is encouraged in the Downtown Overlay District. The D classification applies to more outlying areas in the Downtown where vehicle oriented uses exist in a less compact urban setting.

## **C – Circle District**

The Circle District is intended to provide for the continued use, enhancement, and new development of retail, personal service, and related commercial uses in the Ashman Circle business district. Residential use is encouraged on the upper floors of retail and office buildings and in townhouses. Businesses in the Circle District are intended primarily to meet the day-to-day shopping and service needs of residents in surrounding neighborhoods and the broader community. Intensive commercial uses that would adversely affect the quality of surrounding residential areas are not appropriate in the Circle District.

## **DNO – Downtown Northside Overlay District**

The purpose of the Midland Downtown Northside Overlay District is to provide specific regulations to achieve the following:

1. Facilitate redevelopment of the district as a fully integrated, mixed-use, pedestrian-oriented environment with mixed-use buildings that contain commercial, residential and office uses.
2. Provide for a variety of housing types that include a more-urban alternative to single family detached, including townhouses, apartments above commercial uses and live-work units.
3. Calm traffic traveling through the City to create a more pedestrian-friendly environment and improve pedestrian linkages to the Downtown.
4. Regulate building height and placement to achieve appropriate scale along streetscapes and ensure proper transition between the downtown and surrounding neighborhoods.
5. Establish clear controls on building form and placement to frame a well-defined public realm comprised of human-scale streets, neighborhoods and public spaces, all of which contribute to creating a safe, comfortable and livable environment.
6. Create a more pedestrian-oriented development pattern by placing storefronts near the sidewalk, locating parking in the side, or rear yard and limiting auto-oriented uses such as drive-throughs.

The Downtown Northside Overlay District is an overlay district that applies over the existing underlying zoning. The existing underlying zoning of a property is not changed nor is any legal use at the time of adoption of the overlay district made illegal or nonconforming. Not until such time as the property changes use or is redeveloped do the provisions of the overlay district become required.

## **Section 21.02 -- PERMITTED USES AND STRUCTURES**

### **A. Table of Permitted Uses**

In all areas zoned NC, CC, RC, D, D-O, C and DNO no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the uses listed in the Table of Permitted Uses (Table 21.1 located on page 21-4).

### **B. Accessory Uses and Structures**

Uses and structures accessory to principal uses and structures in the NC, CC, RC, D, D-O, C and DNO Districts shall be permitted, subject to the provisions in Section 3.03.

### **C. Permitted Uses with Special Standards**

In all areas zoned NC, CC, RC, D, D-O, C and DNO, the uses indicated in the following table as permitted uses with special standards are permitted, subject to the conditions specified for each use as set forth in Article 9.00.

### **D. Conditional Land Uses**

The uses indicated in the following table as conditional land uses may be permitted by the City Council, upon recommendation by the Planning Commission, subject to the conditions specified for each use; review and approval of the site plan by the City Council; any special conditions imposed by the City Council that are necessary to fulfill the purposes of this Ordinance; and the procedures and requirements set forth in Article 28.00.

### **E. Uses Not Cited by Name**

The Director of the Planning and Community Development Department shall have the authority to determine if a use which is not cited by name as a permitted use in the NC, CC, RC, D, D-O, C and DNO Districts as specified in Section 3.08 of the Ordinance.

**TABLE 21.1: TABLE OF PERMITTED USES**

	Districts Where Permitted							
Use	D	D-O	DNO	C	NC	CC	RC	Comments
P = Principal Permitted Use S = Principal Permitted Use with Site Development Standards, see Article 9.00 C = Conditional Land Use, see Article 28.00 C/S = Conditional Land Use with Special Standards, see Article 9.00 and Article 28.00 A = Accessory use, subject to the provisions in Section 3.03 No Symbol = Use is not permitted								
AUTOMOTIVE USES								
Auto parts sales						S	S	
Automobile filling station	C/S				C/S	S	S	Any such use shall be subject to the provisions in Section 9.02, subsection C.
Automobile or vehicle dealership						C	P	
Automobile repair garage, major						P	P	Any such use shall be subject to the provisions in Section 9.02, subsection C
Automobile repair garage, minor						P	P	Any such use shall be subject to the provisions in Section 9.02, subsection C
Automobile service stations						S	S	Any such use shall be subject to the provisions in Section 9.02, subsection C
Automobile wash						S	S	Any such use shall be subject to the provisions in Section 9.02, subsection D
Muffler sales					C/S	S	S	Any such use shall be subject to the provisions in Section 9.02, subsection C
Tire Sales					C/S	S	S	Any such use shall be subject to the provisions in Section 9.02, subsection C
COMMERCIAL USES								
Adult Regulated Uses							C	Any such use shall be subject to the provisions in Section 9.02, subsection A
Banks and credit unions	P	P	P	P	P	P	P	
Banks and credit unions with drive up windows	P	P	C	P	P	P	P	
Banquet and conference/meeting facilities	P	P	P			P	P	
Barber shops and beauty shops	P	P	P	P	P	P	P	
Bed and breakfasts	P	P	P	P				
Business service establishments, limited to advertising, mailing, reproduction, commercial art, photography, stenographic services, personal supply services, computer programming, data processing, and other computer related services	P	P	P	P		P	P	
Car Rental Establishments						C	P	

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Coffee shops	P	P	P	P	P	P	P	
Convenience stores	P	P	P	P	P	P	P	
Dressmaking/Tailoring	P	P	P	P	P	P	P	
Dry cleaning drop-off and pickup locations	P	P	P	P	P	P	P	No dry cleaning processing activity may occur on-site
Funeral homes	P				P	P	P	
Greeting card and gift stores	P	P	P	P	P	P	P	
Grocery Store	C	C	C	P	P	P	P	
Hardware, floor covering, paint, kitchen and bath store	P	P	P	P	P	P	P	Not larger than 20,000 sq. ft. in gross floor area - larger stores shall be considered a home improvement center.
Home improvement center				P		C	P	Lumber yards are permitted as an accessory use, except in the C District
Hotels	P	P	P			P	P	
Motels						P	P	
Interior decorator studios	P	P	P	P	P	P	P	
Music, art, and dance studios	P	P	P	P	P	P	P	
Outdoor sales and display of merchandise, vehicles, boats, trailers, modular homes and other buildings, and swimming pools						C	P	
Outdoor sales of nursery stock, garden supplies, and produce						C	P	
Personal service establishments	P	P	P	P	P	P	P	
Pet shops	P	P	P	P		P	P	
Pharmacies and drug stores without drive up windows	P	P	P	P	P	P	P	
Pharmacies and drug stores with drive up windows	P	P	C	P	P	P	P	
Photographic studios	P	P	P	P	P	P	P	
Radio and television studios and offices, with broadcasting towers						C/S	C/S	Any such use shall be subject to the provisions in Section 3.16.
Radio and television studios and offices, without broadcasting towers	P		P			P	P	

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Repair service establishments, limited to small appliances, radio, TV, computer, jewelry, watches, upholsterer, shoe repair, and locksmith				P	P	P	P	
Repair service establishments of all types						P	P	Does not include repair of automobiles or other vehicles.
Restaurant, bar/lounge	P	P	P	P	P	P	P	
Restaurant, carry out	P	P	P	P	P	P	P	
Restaurant, with drive-in or drive-up windows						C/S	C/S	Any such use shall be subject to the provisions in Section 9.02, subsection G
Restaurant, standard	P	P	P	P	P	P	P	
Restaurant with outdoor seating	P	P	P	P	C	P	P	Shall not have outdoor music speakers.
Retail sales in an enclosed building	P	P	P	P	P	P	P	
Retail Strip Centers				P	P	P	P	Not larger than 20,000 sq. ft. in gross floor area in NC
Self-serve laundries	P		P		P	P	P	
Shopping Centers			P			P	P	
LIGHT INDUSTRIAL USES								
Beverage bottling							C	
Bus and truck storage and repair							C	
Commercial bakeries	C		C	C			P	
Commercial Printing and publishing establishments	C		C			C	C	
Contractor’s yards							C	
Dispatch Center							P	Limited to one tow truck and no vehicle storage.
Dry cleaners including processing						P	P	
Lumber yards							C	
Mini-warehouses, Self storage facilities							S	Any such use shall be subject to the provisions in Section 9.02, sub-section H
Processing of preprocessed and previously manufactured goods							C	
Solar Facilities							P	

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Taxi and bus dispatch centers, not including storage or repair terminals						C	P	
Warehousing							C	
Wholesale and distributing establishments							C	
OFFICE/MEDICAL USES								
Dental clinics	P	P	P	P	P	P	P	
Medical clinics	P	P	P	P	P	P	P	
Veterinary clinics	P		P	P	P	P	P	No outdoor kennels are permitted
Dental, medical, and optical laboratories	P	P	P	P	P	P	P	
Offices – Second floor or above	P	P	P	P	P	P	P	
Offices – First floor	P	P	P	P	P	P	P	
Social Service Agencies	P			P	P	P	P	
PUBLIC/INSTITUTIONAL USES								
Adult foster care facility	C		C	C				As defined in “Residential Care Facilities” in Section 2.02
Adult foster care small group home	C		C	C				As defined in “Residential Care Facilities” in Section 2.02
Adult foster care large group home	C		C	C				As defined in “Residential Care Facilities” in Section 2.02
Child care centers	C		C	C	C	C	C	
Clubs and Fraternal Organizations	S		C/S	S	S	P	P	Shall be subject to the provisions in Section 9.02, subsection E.
Colleges and universities	P		P			P	P	Any such use shall not exceed 100,000 square feet of floor area
Community colleges	P		P			P	P	Any such use shall not exceed 100,000 square feet in floor area
Cultural facilities	P	P	P	P	C	C	C	
Day Shelter							S	
Fire stations	P			P	P	P	P	
Governmental administration offices	P	P	P	P	P	P	P	
Housing for the elderly	C/S		C/S	C/S				Any such use shall be subject to the provisions in Section 9.02, subsection I
Parks	P	P	P	P	P	P	P	
Public and private libraries	P	P	P	C	C	C	C	

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Public utility facilities	C/S		C/S	C/S				Any such use shall be subject to the provisions in Section 9.02, subsection K
Recycling collection station						C	C	
Residential treatment facilities							S	
Retreat centers	C		C	C		P	P	
Transitional housing							S	
Vocational, technical, primary, secondary, and trade schools						P	P	Such schools may only offer instruction in uses otherwise permitted in the district.
Vocational, technical, primary, secondary, and trade schools	P			P				Such schools may only offer instruction in uses otherwise permitted in the district, and may not be located on the first floor.
RECREATION/ENTERTAINMENT USES								
Arcade	S		S	S		S	S	Any such use shall be subject to the provisions in Section 9.02, subsection L
Campgrounds and outdoor recreation facilities						C/S	C/S	Any such use shall be subject to the provisions in Section 9.02, subsection L
Commercial amusements, indoor						C/S	C/S	Any such use shall be subject to the provisions in Section 9.02, subsection L
Commercial amusements, outdoor						C/S	S	Any such use shall be subject to the provisions in Section 9.02, subsection L
Health clubs and spas	P	P	P	P	P	P	P	No outdoor services
Theatres	P	P	P	P		P	P/C	Drive in theatres only permitted in RC via Conditional Use
RESIDENTIAL USES								
Boarding Houses	C		C	C				
Dwelling units on upper floors above business establishments and live/work units	S	S	P	S	S			
Multiple-family dwellings	S	S	P	S	S			Any such use shall be subject to the provisions in Section 9.03, subsection
Townhouses	S		P	S				Townhouses are not permitted on parcels with frontage on Ashman Circle. Any such use shall be subject to the provisions in Section 9.03, subsection A.



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OTHER USES								
Parking structures	P	P	P	P		P	P	
Places of worship	C	C	C	P	P	P	P	
Planned unit developments	S	S	S	S	S	S	S	Subject to the provisions of Article 24.00
Signs	A	A	A	A	A	A	A	Subject to the provisions of Article 8.00
Wireless communication facilities	C/S	C/S	C/S	C/S	C/S	C/S	C/S	Any such use shall be subject to the provisions in Section 3.16

## Section 21.03 -- DEVELOPMENT STANDARDS

### A. Site Plan Review

Site plan review and approval is required for all uses in accordance with Article 27.00.

### B. Required Conditions for Uses in the NC and C Districts

Unless otherwise noted, buildings and uses in the NC (Neighborhood Commercial) and C (Circle) Districts shall comply with the following requirements:

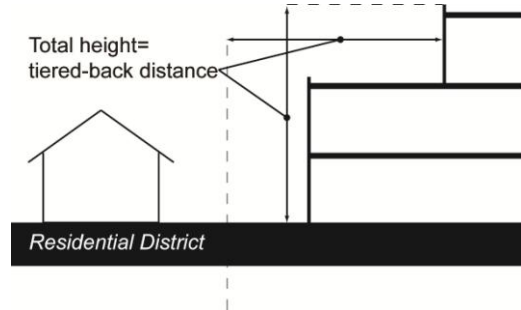
1. All permitted retail or service establishments shall deal directly with customers. Manufacturing of products for wholesale distribution off of the premises is not permitted.
2. All business, services, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building, unless otherwise specifically permitted.
3. There shall be no outside storage of any goods, inventory, or equipment. Any storage shall be clearly accessory to the principal permitted use.
4. Commercially used or licensed vehicles used in the normal operation of a permitted retail or service use on the site may be parked in the rear only. This provision shall apply to operable vehicles are moved on and off of the site on a regular basis.
5. Parking or storage of damaged or disabled vehicles shall be prohibited. Vehicles parked on a site shall not be used principally for storage, sales, or advertising.
6. In the C District, no single use shall have more than 20,000 square feet in gross floor area.
7. All uses in the NC District shall comply with the hours of operation requirements as established in the City of Midland Code of Ordinances.

### C. DNO Area, Height, Bulk, and Placement Regulations

1. **Building Height.** All buildings shall meet the following height requirements:

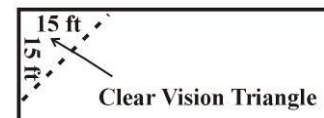
Minimum Building Height	2 stories and 25-foot minimum building height along the street frontage.	
Maximum Building Height	76-foot maximum building height.	

**Adjacent Residential District** For buildings with more than 2 stories adjacent to a residential zoning district, the floors above the 2<sup>nd</sup> story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.



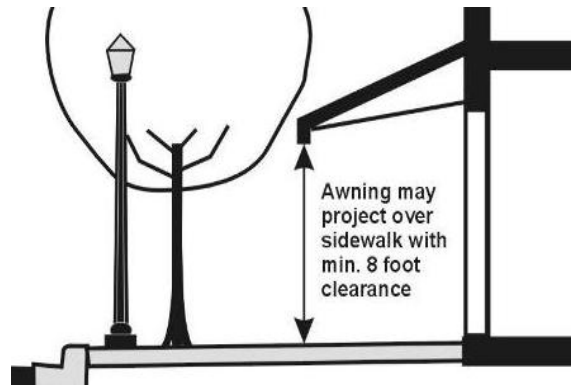
**2. Building Placement.** All lots and buildings shall meet the following dimensional requirements:

<b>Building Frontage</b>	Building façade shall occupy a minimum of 40% of the total lot frontage length between the min. and max. setback. This may include walls or other architectural features that are an extension of the building façade.	
<b>Front Yard</b>	Minimum 0-foot, maximum 10-foot building front yard setback.(1)(2)	
<b>Side Yard</b>	A zero side setback may be permitted where a fire barrier is provided along the side lot line.	
<b>Rear Yard</b>	Minimum 15-foot rear yard building setback. Corner lots shall have 2 front yards, 2 side yards and no rear yard.	
<b>Parking</b>	Off-street parking shall not be allowed between the building and sidewalk for at least 40% of the total lot frontage. Up to 50% of the frontage length to the side of the building may be occupied by off-street parking, provided a 3-foot screen tall wall is located between the sidewalk and parking lot. The remaining 10% may be pedestrian and landscape areas; or the building may occupy more frontage. For corner or through lots, frontage percentages shall be based upon the total cumulative of all street frontages.	



- (1) At the corner of two intersecting streets, a clear vision triangle shall be maintained with no structures between a height of 3 feet and 8 feet. The minimum triangle dimensions shall measure 15 feet along both road frontages.

- (2) Awnings and canopies may project over the sidewalk, provided the awning or canopy is at least 8 feet above the sidewalk and does not project closer than 2 feet from the back of the street curb.



#### D. Planned Unit Development

Planned unit development may be permitted in the NC, CC, RC, D, D-O, and C Districts as a means to achieve the basic intent of this district, in accordance with Article 24.00.

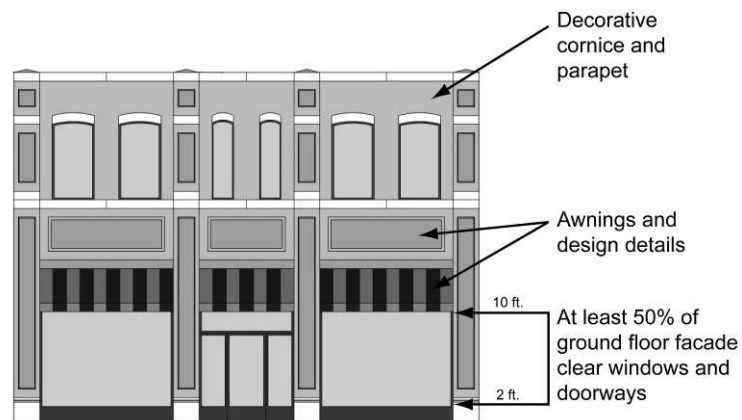
## Section 21.04 -- DOWNTOWN NORTHSIDE OVERLAY DISTRICT DEVELOPMENT STANDARDS

#### A. Building Design Requirements

1. **General Commercial and Mixed-Use Buildings.** All commercial buildings and mixed-use buildings that contain non-residential and residential uses, such as retail on the ground floor, and residential on upper floors and live-work units, shall meet the following requirements.

##### General Commercial and Mixed-Use Buildings

**Front Façade** The front façade that faces a street or plaza shall include windows, cornice work, edge detailing and decorative finish materials.



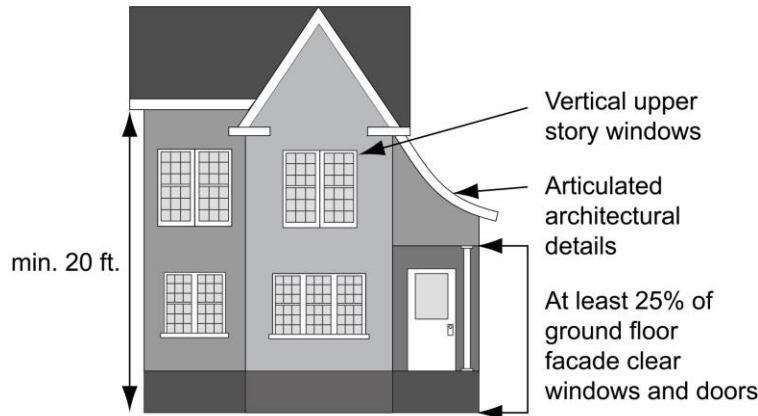
Entrance	There shall be a minimum of one (1) usable pedestrian entrance along the front public sidewalk. Main pedestrian entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas.
Blank Walls	Blank walls (without windows) longer than 20 feet shall not face a street.
Garage Doors	Garage doors shall not be permitted on a front façade; except opening/doors for access to structured parking or rear yard parking are permitted.

### General Commercial and Mixed-Use Buildings

Ground Floor	Between 2 and 10 feet above the sidewalk, at least 50% of the ground floor façade area facing a street shall be clear windows and doorways. This may be reduced to 30% where the first floor is occupied by an office use.
Flat Roof Buildings	Buildings with a flat roof appearance from the street shall have a decorative cornice. Flat roofs shall be enclosed by parapets.
Pitched Roof Buildings	Buildings with a pitched roof shall be permitted where the eaves are at least 20 feet from the ground and the roof pitch is a minimum of 4:12.
Mechanical Equipment Screening	All rooftop HVAC mechanical mounted equipment shall be screened from view on all sides of the building. Parapets and other screening treatment shall use high quality building materials and shall blend with the design of the building in terms of color, materials, scale and height. Mechanical equipment on buildings with a pitched roof shall be on the back half of the building and shall be concealed, such that it is not visible from the ground.

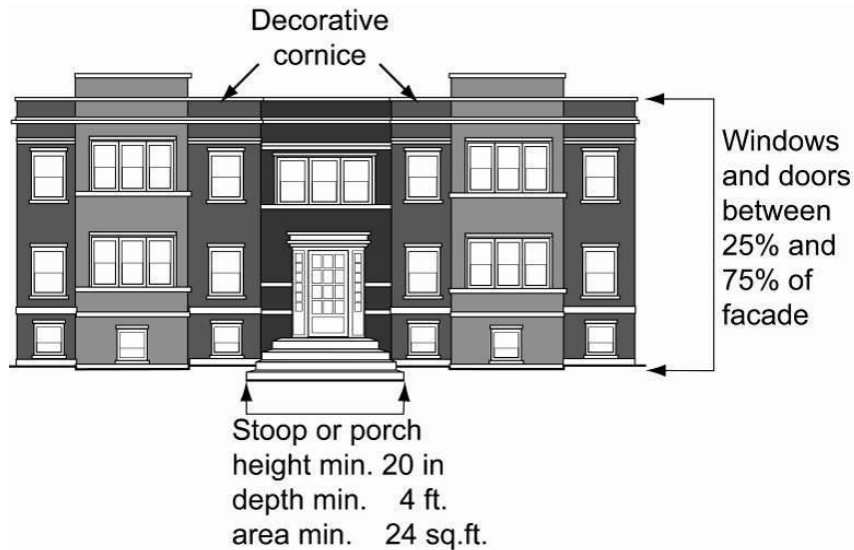
2. **Cottage Shop Building.** Buildings that were originally constructed as single family residences and converted to a non-residential use or constructed to appear as residential conversions shall meet the following requirements.

### Cottage Shop Building



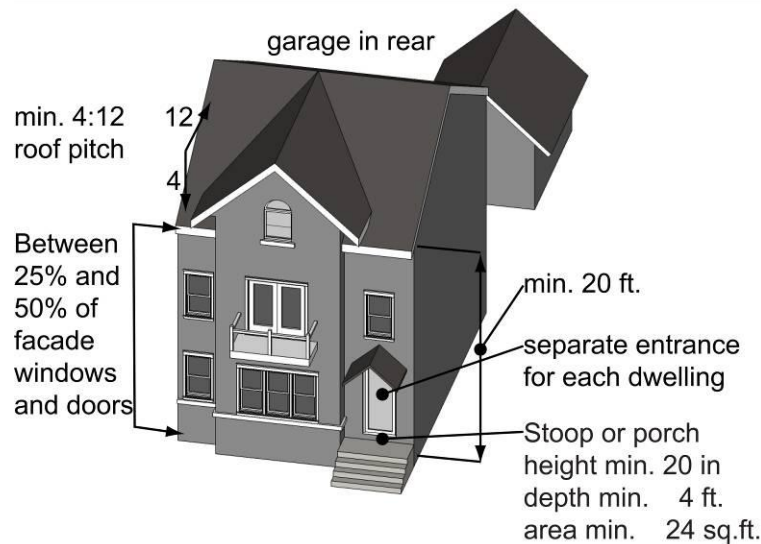
Front Façade	There shall be a minimum of one (1) usable pedestrian entrance along the front public sidewalk.
Garage Doors	Garage doors shall not be permitted on a front façade.
Ground Floor Windows and Doors	At least 25% of the ground floor façade facing a street shall be clear windows and doorways.
Upper Floor Windows	Windows above the first story shall be vertical in proportion.
Roof Design	Buildings with a pitched roof shall be permitted where the eaves are at least 20 feet from the ground and the roof pitch is a minimum of 4:12.

3. **Apartment Buildings.** Apartment buildings that contain only multiple-family dwellings shall meet the following design requirements. Multiple-family dwellings located in mixed-use buildings shall be subject to the general commercial/mixed-use building design requirements in section 21.04.A.1. Apartment buildings are considered buildings with common entrances - where multiple family dwellings have individual entrances, they shall be subject to the townhouse design standards of section 21.04.A.4 below.

**Apartment****Buildings**

Entrance	There shall be a minimum of one pedestrian entryway facing the street or opening onto a courtyard facing the street.
Front Stoop	A front stoop shall be allowed to project into the front yard. ADA-compliant access ramps that connect to the stoop may also project into the front yard.
Windows and Doors	The front façade of all residential units shall be a minimum of 25% and a maximum of 75% windows and doors.
Roof Design	Buildings with a flat roof appearance from the street shall have a decorative cornice. Buildings with a pitched roof shall be permitted where the eaves are at least 20 feet from the ground and the roof pitch is a minimum of 4:12.
Parking and Carports	Off-street parking lots and carports or garages shall be located in the side or rear yard.

4. **Townhouses.** Attached/townhouse dwellings shall meet the following design requirements. Townhouse dwellings are dwellings where each unit has an individual front entrance - multiple family dwellings with common entrances shall be subject to the apartment building design standards of section 21.04.A.3 above.

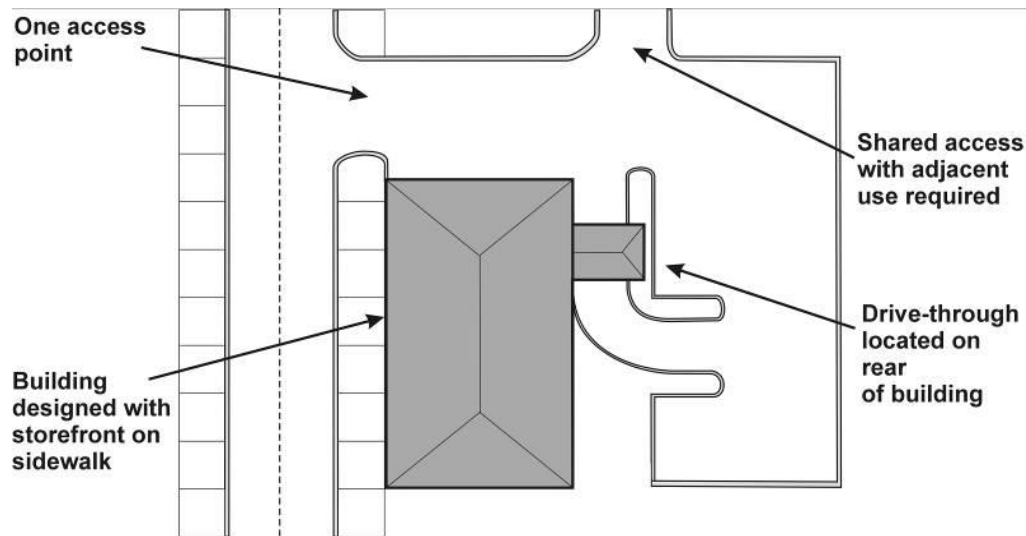


### **Townhouses**

Entrance	Each dwelling shall provide a separate pedestrian entryway facing the front lot line with direct access to the sidewalk by way of a front porch or stoop with steps.
Front Porch or Stoop	All dwellings shall include a front stoop or porch. The stoop or porch shall have a minimum depth of 4 feet and a minimum area of 24 square feet. Steps and ADA-compliant access ramps that connect to the stoop or porch may project into the front yard.
First Floor Elevation	The stoop or porch shall be elevated a minimum of 20 inches above the sidewalk grade. This may be waived for units designed to be accessible by persons with disabilities.
Windows and Doors	The front façade of all residential units shall be a minimum of 25% and a maximum of 50% windows and doors.
Roof Design	Buildings shall be designed with a pitched roof with eaves at least 20 feet from the ground and a minimum roof pitch of 4:12.
Garages	Attached or detached garages shall be located in the rear yard or on the rear side of the building and shall be accessed by a rear alley or drive.

5. **Accessory Drive-Through Uses.** Drive-through windows that are accessory to banks, retail uses such as pharmacies and service uses such as dry-cleaners shall meet the following design requirements.

### Drive-Through Windows



Building	The building shall meet all of the design requirements for a general commercial building contained in section 21.04.A.1.
Drive-through Location	The drive-through shall be attached to the rear of the building. On corner lots, the drive-through shall be attached to the side of the building and setback from the street to at least 50% of the building length.
Number of Lanes	No more than one drive-through window, teller or lane shall be permitted on a building or site.
Access	No more than one (1) driveway shall be provided to a public street. The driveway shall be shared with an adjacent use or easements provided to allow future shared use.



## B. Site Design Requirements

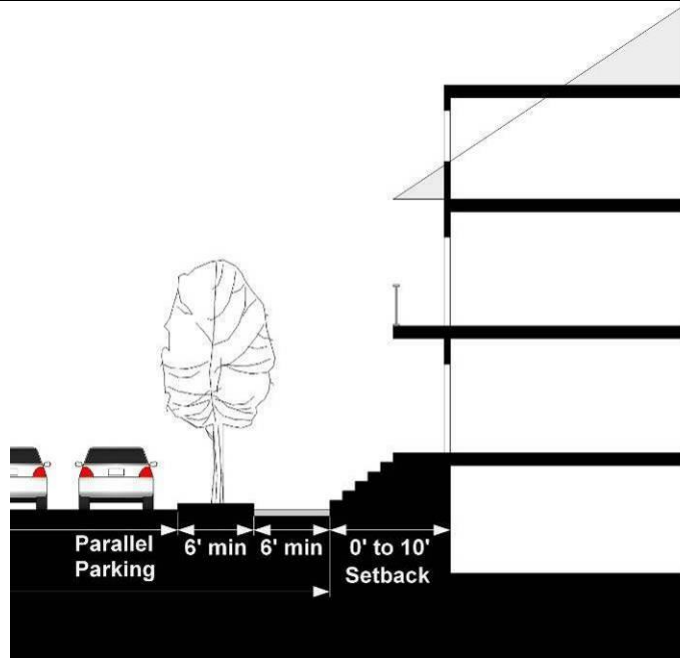
1. **Parking.** Each use shall be required to provide off-street parking in accordance with the following requirements:
  - a. Off-street parking shall be required in accordance with Section 5.01, subject to paragraphs b. and c. below. Sites where the underlying zoning is D – Downtown District are not required to provide off-street parking.
  - b. For mixed-use developments or parking shared between multiple uses, the amount of parking provided shall equal the sum of the parking required for each individual use; provided, however, the Planning Commission may authorize a reduction in the total number of required parking spaces where multiple uses can be adequately served by shared use of fewer parking spaces by reason of the characteristics of the land uses and differing time of peak parking demand.
  - c. Uses on separate lots may enter into shared parking agreements. The parking may be provided on an adjacent lot or through an agreement with an off-site location.
  - d. No parking space or maneuvering lane shall be permitted within ten (10) feet of any street property line.
  - e. Off-street parking shall be located in the rear yard to the maximum extent practical. Parking may be permitted in the side yard where it is setback a distance equal to the building and a 3-foot tall screenwall that serves as an extension of the adjacent building is provided between the parking and the sidewalk in accordance with subsection 4.c. below.
  - f. All parking lots shall provide sufficient bike parking based on a minimum of one (1) bike for every ten (10) automobile parking spaces.
2. **Driveway Access.** All driveways shall meet the requirements of Section 3.10. Where the driveway spacing standards cannot be met, driveways shall be located as close as possible to the center of the block, with consideration of alignment with driveways on the opposite side of the street. Shared access may be required with adjacent sites where the driveway spacing standards cannot be met. Easements shall be provided for shared access with adjacent sites or cross circulation between adjacent parking lots.
3. **Loading.** Off-street loading spaces shall be provided as required by Section 5.02. Waivers to loading space requirements may be granted by the Planning Commission for uses such as offices or banks where deliveries by truck will not be necessary. Loading and outdoor storage areas shall be located in the rear yard or within loading bays that are surrounded or enclosed by buildings or accessed from rear yard parking lots. On corner lots, the loading area may be located on the side of the building setback from the street to at least 50% of the building length.
4. **Landscaping and Screening.** Landscaping and screening shall be provided for as follows:
  - a. **Street Trees.** One (1) street canopy tree shall be provided for each 40 feet of street frontage. Street trees shall be minimum 2½ inch caliper canopy trees.

- b. **Parking Lot Landscaping.** Parking lots shall be landscaped in accordance with Section 6.02.F. Any portion of a parking lot that is setback more than 50 feet from the front lot line shall be exempt from the landscaping requirement. This exemption does not apply to buffer zones from adjacent residential zoning districts.
  - c. **Parking Lot Screening.** Where parking is visible from a street, landscaping shall be required between all parking lots and the street in accordance with Section 6.02.B. A 3-foot tall brick or stone screen wall shall be provided between the parking lot and the sidewalk instead of the earth berm required in Section 6.02. Wrought iron fencing or other similar ornamental fencing may be substituted for the 3-foot tall brick/stone wall, provided its design uses brick or stone piers and it is installed along with a continuous hedge row.
  - c. **Screening from Residential.** Where a parking lot is adjacent to a residential district or use, a 6-foot tall screen wall shall be provided between the parking lot and the residential district or use in accordance with Section 7.02. The screen wall shall be brick, stone, wood or other material compatible with the building and approved by the Planning Commission.
  - d. **Screening Greenbelt.** A 10-foot wide screening greenbelt shall be installed between any non-residential building and any adjacent residential zoning district in accordance with Section 6.02.D and E. No parking or maneuvering lanes shall be located within this greenbelt.
- 5. **Waste receptacles.** Waste receptacles shall be enclosed by a masonry wall meeting the requirements of Section 3.15. Multiple businesses may share a waste receptacle, provided there is a recorded agreement for shared use and maintenance.
  - 6. **Utilities.** All new or relocated utility lines shall be installed underground. Utility boxes shall be located where they do not create obstruction to sidewalks or intersection clear vision triangles.
  - 7. **Cluster Mailboxes.** Cluster mailboxes for multi-tenant developments shall be located in common lobby areas or, when outdoors, in a rear or side yard.

### C. Streetscape Requirements.

1. An applicant shall make all streetscape improvements outside of the street curb along the lot frontage as shown in the following cross sections, including sidewalks, curb-lawn landscaping, street trees and decorative street lights. However, the applicant shall not be required to make any improvements to the vehicular lanes located between the curbs for an existing public street. The following are typical street sections and may vary along their length based upon City engineering standards and available right-of-way.

Streetscape Requirements	
Sidewalk	Minimum 6 foot wide both sides.
Tree Zone	A minimum 6 foot long green strip shall be provided between the street and sidewalk for street trees. This area may be paved as additional sidewalk with tree grates and continuous tree-root trenches under the sidewalk.
Street lights	Decorative street lights based upon specifications provided by the City.
Street trees	Minimum one tree for each 40 feet of street frontage.
Parking	Parallel parking shall be allowed where the City engineer or MDOT determines that there is sufficient roadway width.



2. Sidewalk cafés shall be permitted on or adjacent to sidewalks; provided a minimum 6-foot wide un-obstructed pedestrian pathway is maintained along the sidewalk. Restaurants with outdoor seating shall not have outdoor speakers.